

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE MERGER FUND, THE MERGER FUND VL, GS MASTER TRUST, MLIS WESTCHESTER MERGER ARBITRAGE UCITS FUND and DUNHAM MONTHLY DISTRIBUTION FUND,

Plaintiffs,
- against -

METROPCS COMMUNICATIONS, INC.,
W. MICHAEL BARNES, JACK F.
CALLAHAN, JR., C. KEVIN LANDRY,
ROGER D. LINQUIST, ARTHUR C.
PATTERSON, and JAMES N. PERRY JR.,

Defendants.

Civil Action No. 13-2066-AJN

NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to F.R.Civ.P. 41(a)(1)(A)(i), plaintiffs The Merger Fund, The Merger Fund VL, GS Master Trust, MLIS Westchester Merger Arbitrage UCITS Fund and Dunham Monthly Distribution Fund hereby give notice that the above-captioned action is voluntarily dismissed as against all defendants including MetroPCS Communications, Inc., W. Michael Barnes, Jack F. Callahan, Jr., Roger D. Linquist, Arthur C. Patterson and James N. Perry, Jr., with prejudice. Each party shall be responsible for the payment of its attorneys' fees and costs.

New York, New York
Dated: September 30, 2013

ABBEY SPANIER, LLP

By:



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